

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 31.01.2020
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 2304 of 2020
and
W.M.P. No. 2675 of 2020

R.Uma Maheswari

... Petitioner

Vs.

1. Corporation of Chennai
Rep by its Commissioner
Rippon Building
No.1131, EVR Periyar Salai
Chennai - 600 003.
 2. The Zonal Officer
Zone-8, Corporation of Chennai
No.36-B, II Cross Street
Pulla Avenue, Shenoy Nagar
Chennai - 600 030.
 3. The Executive Engineer
Zone - 8, Corporation of Chennai
No.36-B, II Cross Street
Pulla Avenue, Shenoy Nagar
Chennai - 600 030.
- ... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorarified Mandamus, to call for records of the impugned notice dated 21.01.2020 issued by the Second Respondent herein and quash the same and consequently direct the Respondents to reconsider the Petitioner's application for licence to run a restaurant business and to remove the seal in petitioner tenanted premises at Block No.38, Flat No.38D, Old Door No.AB-125, New Door No.AB-126, 4th Avenue, Shanthi Colony, Anna Nagar, Chennai - 600 040.

For Petitioner : Mr. G. Muthukumar

For Respondents: Mrs. Karthika Ashok
Standing Counsel

O R D E R

Mrs. Karthika Ashok, Learned Standing Counsel takes notice for the Respondents.

2. It is contended by the Learned Standing Counsel appearing for the Respondents that in terms of Section 279 of Chennai City Municipal Corporation Act, 1919, the Petitioner ought not to have commenced business without requisite trade licence from the concerned authority and due to such violation, his premises has been sealed. It is further informed that the Petitioner is yet to submit certain additional documents as required, and if the same is satisfactorily complied, his application for trade licence could be considered by the concerned authority in accordance with law, and till such trade licence is obtained, the Petitioner cannot carry on any such business in that premises. Insofar as the claim for removing the perishable items from the premises of the Petitioner is concerned, it is stated that if a written representation is made in that regard, the premises would be de-sealed for such purpose and after the Petitioner removes the same, it would be re-sealed.

3. In view of the same, Learned Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to to the Petitioner to resort to the aforesaid procedure and work out his remedies in that regard before the proper forum in the manner recognized by law, and he has also made an endorsement to that effect, which is recorded.

4. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

maya/vjt
To

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3. The Executive Engineer
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Chennai - 600 030.

+2ccs to Mr.G.Muthukumar , Advocate SR.No. 7396,7413

+1cc to M/s.Karthika , Advocate SR.No. 7625

W.P. No. 2304 of 2020

A.SK(05/03/2020)



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